

# CUMBERLAND SCHOOL OF LAW SAMFORD UNIVERSITY

BIRMINGHAM, ALABAMA

**BULLETIN 1978-79**



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THE Cumberland School of Law insignia represents a long and distinguished heritage. The design is built around the ancient symbol of Justice. Two seals side-by-side signify the present day relationship with Samford University. The Latin motto beneath the shield expresses an unending determination to strive ever upward.

An early chapter of the Lebanon era is recalled by a Phoenix poised atop the shield. This bird of ancient myth is a symbol of Cumberland's first rebirth and rise to greatness after its buildings were put to the torch during the Civil War.

Thus, at a glance, one gains a sense of Cumberland's traditions—traditions that have found resurgent qualities on Alabama soil.

CATALOG  
*of*  
**Cumberland School  
of Law**  
*of*  
**Samford University**



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**Cordell Hull**

Distinguished Cumberland alumnus; U.S. House of Representatives (1907-21, 1923-31); U.S. Senate (1931-33); U.S. Secretary of State (1933-44); Recognized as "Father of the United Nations"; Recipient of the Nobel Peace Prize in 1945.

## **General Information**

### **HISTORY OF THE CUMBERLAND SCHOOL OF LAW**

The Cumberland Law School was established in 1847 as a part of Cumberland University in Lebanon, Tennessee, and has been in continuous operation except for a brief period during the Civil War. Through the years the school has been regularly staffed with many brilliant legal scholars; distinguished men such as Abraham Caruthers, author of *Caruthers' History of a Lawsuit*; Sam B. Gilbreath, revisor of *History of a Lawsuit*; Dr. Andrew C. Martin; Nathan Green, Sr.; Nathan Green, Jr.; Grafton Green; A. B. Neil; and many other outstanding leaders of the profession. The school was acquired by Samford University in 1961 and has experienced a period of growth and progress that has made it the largest law school in the state and the largest Baptist supported law school in the nation. The law school is housed in the Memory Leake Robinson Hall, a fine facility which has recently undergone extensive expansion. The faculty of the Cumberland School of Law today is the largest and academically the strongest in the School's long history. The student body this year consists of more than 600 students coming from almost every state and several foreign countries.

### **ACCREDITATION**

The Cumberland School of Law is fully approved by all national and state accrediting agencies. It is a member of the Association of American Law Schools and is approved by the American Bar Association through its Section on Legal Education and Admissions to the Bar. It is also approved by the Board of Regents of the University of the State of New York. Because all of these certification requirements are met a graduate of Cumberland School of Law is eligible to take the bar examination in any state.

### **AIMS AND OBJECTIVES OF LAW SCHOOL**

The program of the School of Law is twofold. It strives to maintain high standards of legal education and to prepare men and women for the practice of law. The school emphasizes a program of trial advocacy. It

also seeks to provide legal training for those planning to enter business or public service. The overall aim is to develop the analytical powers of the student, as well as to provide him with a knowledge of legal principles and their historical development. At the same time, the program is designed to instill in each student a high sense of professional ethics.

The School of Law is an integral part of Samford University. The objectives of the University and the Law School are similar in purpose. The Law School emphasizes Christian values which are inherent in our legal principles. The Law School is determined to teach the significance of law as a genuine part of the culture of the nation and make each student aware of social responsibility in the context of Christian ethics and in the highest traditions of the legal profession.

The School of Law recognizes the strategic importance of the legal profession which has almost complete control over the judiciary of our states and our nation and largely dominates the legislative and executive branches of our national and state governments. The School seeks to emphasize the American concept of maximum liberty in every phase of life for each individual.

## ALUMNI

The graduates of the Cumberland School of Law are organized into a National Alumni Association with over 3,000 members residing in 48 states and five foreign countries. National officers are elected each year in April during Law Day activities on the campus. Local alumni chapters function in many areas of the United States.

Cumberland in its 130 years of service has produced over 10,000 law graduates, many of whom have distinguished themselves in their profession. The list includes two United States Supreme Court Justices, a Secretary of State of the United States, United States Senators, United States representatives, federal district and appellate judges, governors, state Supreme Court and appellate judges, state attorneys general, lieutenant governors, United States and state district attorneys, diplomatic officials, college presidents, law professors, distinguished legal writers and scholars and administrative officials of the United States and state governments.

During the 1960's Cumberland ranked second among all law schools in the number of Justices (11) it contributed to State Supreme Courts, and today Cumberland graduates sit on the Supreme Courts of five states, serving as Chief Justice in two states. Also, a large number of eminent private practitioners, corporate leaders, circuit judges, chancellors, members of state legislatures, county judges and other county and municipal officials received their legal training at the Cumberland School of Law.

## LOCATION

Samford University—home of the Cumberland School of Law—is located on an attractive 300-acre campus featuring Colonial-Georgian architecture. It has been described as one of the most beautiful in the nation. Located in the picturesque mountainous area of Shadyside Valley, the educational facility has unlimited possibilities for continued growth and development.

The University is located in the metropolitan area of Birmingham, Alabama's largest city. Birmingham is the state's industrial, business and cultural center. Many fine recreational facilities are available. The University is easily reached by an excellent system of railways, airlines, and highways. Robinson Hall, the home of the School of Law, is located in the center of the campus, just east of the main library.

## ALABAMA LAW INSTITUTE

The Dean and all the full-time Faculty members of the School of Law are members of the Alabama Law Institute, which was established by the Alabama Legislature in 1967 as an official advisory law revision, reform, and research agency of the State of Alabama. Membership in the Institute includes leading lawyers, judges, law professors and officials of the State of Alabama. The Institute is designed to devise and carry out a plan of continuous revision of the Alabama Code, to carry on scholarly discussions of current problems, and to make recommendations to the Legislature concerning needed improvements in the substantive and procedural law of the State.

It is expected that the faculty and students of the Law School will be called upon to assist in the research and drafting of major projects undertaken by the Institute.

## SAMFORD UNIVERSITY HISTORY

Samford University was founded as Howard College by the Baptists of Alabama and chartered by the State on December 29, 1841. Its doors opened on January 3, 1842, in Marion, Alabama, with nine young men enrolled. Today Samford University is the largest privately supported and fully accredited co-educational institution of higher learning in Alabama.

The first president was Samuel Sterling Sherman, a 26 year old native of Vermont. Under Sherman and succeeding administrations, this young institution grew rapidly, despite two fires, one in 1844 and one in 1854. During the Civil War the College remained open throughout the hostilities,

serving for a time as a hospital for Confederate troops and later as a barracks for Union troops. It also survived the equally trying Reconstruction period.

In the fall of 1887 the College moved from the quiet rural community of Marion to the rapidly growing industrial city of Birmingham, with the campus located in the East Lake section of the city.

The master's degree and courses in pedagogy were offered as early as 1898. A School of Philosophy and Education was organized in 1914, and in the following year a separate Department of Education and the College's first summer school were opened.

In 1920 Howard College had the distinction of being the second institution of higher learning and the first private institution in Alabama to be admitted to membership in the Southern Association of Colleges and Secondary Schools. This was followed in 1927 by the inauguration of a curriculum in pharmacy, which became a four-year degree program in 1934.

Facing the extreme need for more land for campus growth and the almost complete lack of land adjacent to the East Lake campus, in 1947 the Trustees purchased a rolling hillside site for a new 300-acre campus in the Shades Valley (Homewood) area of greater Birmingham and began developing it in 1954.

The move from East Lake to the new campus with seven buildings was completed in time to begin operations at the new site in September, 1957. Development of the new campus has continued at a rapid pace with the nineteenth major building, the Fine Arts Center, completed and opened in 1975. Thirteen auxiliary buildings have been added, as well as the 6,000-seat, lighted Seibert Stadium.

With the establishment of the Department of Pharmacy in 1927, Howard College began a process of expanding its curriculum to include courses not usually offered in a liberal arts college. Through the years additional offerings emphasizing the enlarged program of the institution were included in teacher education, business administration, and applied music. The Cumberland School of Law was acquired by Samford in 1961. In early 1965 the master's degree program was reinstated, and the Division of Graduate Studies was established. As a consequence of these developments, the Alabama Baptist State Convention at its annual meeting in November, 1965, adopted a recommendation from the Board of Trustees that the institution be renamed as Samford University in honor of Mr. Frank P. Samford and his distinguished family. Mr. Samford, the University's most generous individual benefactor, had served as chairman of the Howard College Board of Trustees since 1939 and served Samford University in the same capacity until 1973.

## PURPOSE

The purpose of Samford University is to promote the development of Christian character. A sense of personal responsibility coupled with the opportunity and stimulus for each student to secure a broad and academi-

cally sound education in a positive Christian environment is stressed. To this end, a program has been embraced that stresses the direct relationship between Judeo-Christian ethics and morality and legal justice and responsibility. In fulfilling such a purpose, Samford University seeks to develop leaders for widely varied fields of service. It strives constantly for academic excellence in conscious expression of Christian faith with its commitment to truth and honesty, its concern for human values and the interrelationship of faith and reason.

### GREEN CHAIR OF LAW

In 1948 the Green Chair of Law was established in connection with the Second Century Program of development of Cumberland University, being operated at this time under the auspices of the Tennessee Baptist Convention. This endowed Chair was named in honor of three men who rendered distinguished service to Cumberland University and to the State of Tennessee. There were Nathan Green; his son, Nathan Green, Jr.; and the latter's son, Grafton Green. Nathan Green and Nathan Green, Jr., were professors in the School of Law. Grafton Green was an alumnus of Cumberland University and took time from his arduous duties as Chief Justice of the Supreme Court of Tennessee to serve as special lecturer in the School of Law.

### PLACEMENT OFFICE

Through the Placement Office the School of Law assists third-year law students in securing employment upon graduation. In addition, the School works with first and second year students interested in locating part-time or full-time summer employment. The School invites law firms, the judiciary, corporate legal departments, government agencies, and other employers interested in obtaining the services of graduating law students to the law school for on campus interviews. The School is a member of the National Association of Law Placement Directors, the Southeastern Federal Recruiting Council, and the Southern College Placement Association.

The Cumberland Placement Office provides its service without discrimination based on sex, race, color, religious creed or national origin. Any applicant with a particular concern or question about placement is invited to write to the Director of Placement, Cumberland School of Law, Samford University, Birmingham, Alabama, 35209.



The Honorable C. C. Torbert, Chief Justice of the Supreme Court of Alabama, addresses the 1977 Cumberland graduates.

## **Academic Information**

### **ADMISSION REQUIREMENTS**

A baccalaureate degree from an accredited college or university, a completed application form, application fee, LSAT score, and transcript evaluation from the LSDAS are all prerequisites for consideration by the committee on admissions. The School of Law admits beginning students only in the fall semester. Applications for the fall class should not be filed prior to October, approximately 10 months before the time the applicant desires to enter. Each applicant's file should be complete prior to April 1, to be assured that the application will be among those to be considered for admission to the following fall semester.

Four faculty members and a senior law student constitute the committee on admissions. All decisions regarding admissions are handled by this committee. Each applicant's file is reviewed individually by each member of the committee. The total file is considered, including the LSAT score, undergraduate GPA, graduate work if any, leadership qualities, employment experiences, recommendation letters, and character. The relative weight given to these factors is a discretionary matter with each individual committee member. No applicant is admitted without a thorough review of his or her file and, likewise, no applicant is rejected without a thorough review of his or her file. All applications to the Cumberland School of Law receive equal treatment. There are no quotas for resident and nonresident students. Admission is not based on color, sex, creed, or national origin.

Although not a prerequisite for admission, interested applicants who desire to visit the campus for a personal interview with a member of the Cumberland faculty are invited to do so. Arrangements for such visits can be made by contacting the Admissions Office.

### **PRE-LAW EDUCATION**

The School of Law has set no rigid pre-law curriculum requirements for admission. Each person's qualifications will be evaluated individually. Rather than attempting to prescribe the specific contents of the individual courses taken by a pre-law student, the Cumberland School of Law places

greater emphasis on the student's ability to read and comprehend accurately, to speak and write clearly, to think precisely, to logically analyze complex fact situations, and to weigh and appraise legal and other materials. It is suggested that the pre-legal program of study include English composition and literature, economics, history, political science, philosophy, psychology and other subjects in the field of social sciences, as well as courses in the natural sciences, mathematics and accounting. It is believed that these courses will academically prepare the prospective law student.

For additional information, see the current *Pre-law Handbook*, published in October and prepared by the Law School Admission Test Council and the Association of American Law Schools. This book includes material on the law and lawyers, pre-law preparation, information on applying to law schools, and the study of law, together with data on most American law schools. It may be obtained at college bookstores or ordered from Educational Testing Service, Box 944, Princeton, New Jersey 08540.

## APPLICATION PROCEDURE

1. The applicant must complete and return the form, "Application for Admission" to the Cumberland School of Law of Samford University and meet all requirements noted in this form. Each application form and official letter of acceptance is valid only for the specific semester or term for which admission is sought. The School of Law is currently admitting beginning students only in the Fall Semester. Applications for the fall class should not be filed prior to October, approximately ten months before the time the applicant desires to enter. The applicant has the responsibility of ascertaining that all his credentials have been received by the Law School and that his file is complete. Each applicant's file should be complete prior to April 1, to be assured that his application will be among those to be considered for admission to the following Fall Semester.

2. Application for admission to the Law School must be accompanied by a non-refundable fee of \$25.00.

3. The applicant must take the Law School Admission Test administered by the Educational Testing Service and arrange to have the Educational Testing Service send directly to the School of Law the results of this test. The LSAT is usually scheduled to be given in the months of October, December, February, April, and July. The applicant is urged to arrange to take this test on a date which will provide ample time for the results to reach the Law School Admission Office prior to April 1 preceding the Fall Semester for which the applicant is seeking admission. Information concerning this test may be obtained by contacting LAW SCHOOL ADMISSION TEST, EDUCATIONAL TESTING SERVICE, Box 944, PRINCETON, NEW JERSEY 08540.

4. The applicant is required to register with the Law School Data Assembly Service (LSDAS) by completing and mailing the registration

form supplied with each Law School Admission Test blank. A transcript from each college or university attended should then be sent not to the law school but directly to the Educational Testing Service at its address noted in item 3. The LSDAS will summarize the transcript and send a report to this law school. *If you are accepted you will be required to submit a final transcript, showing completion of the requirements for the bachelor's degree, directly to this Law School.*

5. Each applicant is required to have a letter of recommendation mailed directly to the Chairman of the Law School Faculty Committee on Admissions from the Faculty Advisor (or instructor in the applicant's major field of study) at the College or University where the applicant received the undergraduate baccalaureate degree; or if the applicant has been employed or has been in the military service for several years following graduation from his College or University, he may request this letter of recommendation from his employer or commanding officer. Also, an applicant must have submitted a character reference from a clergyman or other member of the community where the applicant resides, who has personal knowledge of the applicant's personal integrity and character.

6. Each applicant accepted for admission to the School of Law must forward an acceptance deposit in the amount of \$100.00 in order to reserve his position in the entering class. Upon enrollment this acceptance deposit is credited to the applicant's tuition, but, if the applicant is unable to attend, it is fully refunded if a written request for the refund is received on or before May 1. Upon acceptance two photographs, approximately  $2\frac{1}{2}$ " x 3", should accompany acceptance deposit.

### TRANSFER STUDENTS

It has been the experience of the Cumberland School of Law that students transferring to this law school after beginning their study of the law elsewhere encounter significant problems of scheduling and curriculum, with resultant difficulty both for the student and for the School. Therefore, the School of Law does not encourage transfer students to seek admission. In exceptional circumstances, admission may be granted to students who have been in attendance at another nationally accredited law school. The prospective transfer student must complete and return the form, "application for admission" to the Admissions Office of the Cumberland School of Law and fulfill all requirements noted in this form. A letter from the Dean of the Law School previously attended stating that the student is eligible to continue in good standing and is not under any academic or disciplinary probation, plus an official transcript of all law school work completed must be received before the Committee on Admissions can give consideration to the request for admission. Any student expecting favorable consideration on a transfer basis should have a cumulative grade point average of no less than C+ (1.5 on a 3.0 scale) in his previous law school work. A transfer student must complete a minimum of four semesters in residence at Cumberland as a prerequisite for obtaining the J. D. degree.

## REQUEST FOR RECONSIDERATION

Those applicants who seek and do not obtain admission to Cumberland during the year requested but wish to have their application reconsidered for the next class to be admitted should send a letter to the Dean of Admissions asking for such reconsideration along with a fee of \$10.00 to cover the expense of reactivating the applicant's file. Such request must be received by the Dean of Admissions after October 1st and before April 1st of the year preceding the desired admission.

## PROGRAM OF STUDY — COURSE LOAD

A student is expected to take a full course load as prescribed by the faculty each academic semester. In special situations, after consultation with the Chairman of the Law School Faculty Committee on Admissions and the approval of the Dean, a limited number of applicants may be admitted to classes on an Extended Program of Study for a course load of less than 12 semester hours for each academic semester but in any case, no less than eight semester hours per each semester.

## REQUIREMENTS FOR THE DEGREE OF DOCTOR OF JURISPRUDENCE (J.D.)

Students who have completed eighty-eight semester hours of acceptable credit with a minimum grade point average of 1.0 (which is equivalent to an average grade of "C") and who have acquired six semesters of prescribed residence credit will, upon the recommendation of the faculty of the School of Law, be granted the Doctor of Jurisprudence degree. In order to obtain residence credit for graduation and to comply with the minimum requirements of the standards of the American Bar Association and the Association of American Law Schools, a student must carry a course load of no less than ten semester hours for each and every semester, for a total of six semesters. A summer term schedule of no less than 5 semester hours is equivalent to one-half semester residence requirement. Thus, a student who attends two summer sessions and takes 5 semester hours or more both sessions may take less than ten hours during the sixth semester as the residency requirement will have already been satisfied. A student who attends only one summer term of five hours or more must take ten or more hours all six semesters to satisfy the residency requirement. All students, however, are expected to complete a total of 88 semester hours and all other requirements for their degree within three calendar years.

A student who may (under certain circumstances) be granted permission to enroll for less than a full course load, will not be permitted to increase

his course load; nor will a student enrolled for the minimum full course load be granted permission to decrease his course load except by permission of the Dean and/or appropriate Faculty Committee and evidenced by the student's written statement, which statement shall be placed in the student's permanent record file.

## HONORS

Candidates for the J.D. degree who, on the basis of their three-year's record in law school, are scholastically ranked in the top ten per cent of their graduating class may, upon recommendation of the faculty, be awarded degrees *cum laude*, *magna cum laude*, or *summa cum laude*. Students who have been admitted with advanced standing from other law schools must have maintained an over-all average grade of B on all transfer credit and have satisfactorily completed sixty semester hours of course work in the Cumberland School of Law in order to be eligible for honors.

## COMBINATION OF J.D. AND M.B.A. OR M.A. PROGRAMS

A limited number of credit hours acceptable as part of the course load for the Master of Business Administration degree or for the Master of Arts degree in history and political science may be earned in the Law School. The Law School and Graduate School of Samford University have a program designed to enable a student to use the summer terms following his first and second years in law school in meeting the requirements for both degrees. This will enable a student to graduate with his class and earn both the M.B.A. and J.D. degrees; or the M.A. degree in history and political science and the J.D. degree in the time ordinarily required for the J.D. degree alone.

## CHANGES OF SCHEDULES

All changes in schedules must be authorized by the office of the Registrar or by the Academic Standards Committee.

## OUTSIDE EMPLOYMENT

Students enrolled in a full course load are expected to devote substantially all their time to the study of law. First year students are required to forego any outside employment until they have had an opportunity to measure the demands upon their time to adequately prepare their course work. After the first year certain forms of employment can be an experience of value and can benefit those students who need financial assistance in order to secure their education. More than 20 hours per week of outside

employment for any student who is enrolled for a full course load will be considered as excessive. All students may be required to give evidence to the extent of outside employment.

## WITHDRAWALS

1. Any student who wishes to withdraw from any course after registration must have the written permission of the professor and must complete the University procedure for dropping a course.
2. If a student who is doing satisfactory work drops a course, WP (withdrawn) will be entered on his record. This carries no academic penalty.
3. If a student who is doing unsatisfactory work in a course drops it, WF (withdrawn failing) will be entered on his record and will carry a penalty as if it were an F.
4. If a student drops out of school or drops a course without notifying the Dean in writing, XF, will be entered on his record with the same penalty as F.
5. The date of the course drop will be the date the official drop card properly signed by the appropriate officials is returned to the office of the Dean.

## DISCONTINUANCE OF STUDY IN THE SCHOOL OF LAW

After an applicant has been accepted and enrolled as a law student in the School of Law, he is expected to remain in continuous attendance for each subsequent academic semester until he fulfills all requirements for his law degree unless requested to withdraw because of academic deficiency or the violation of a rule or regulation of the Law School or University. Attendance during the summer terms is optional and therefore inapplicable to the above noted regulation.

A student who voluntarily discontinues study in the Law School or fails to complete any course in which he has been enrolled at any time prior to completion of the work required for the degree (with the exception of the summer terms with the qualification noted in the above paragraph) must make a written request to the Dean for permission to withdraw, indicating the reasons therefor. Failure to make such written request to discontinue the study of law shall be deemed a withdrawal with prejudice. A withdrawal with prejudice shall be noted on the student's permanent record and the student will be ineligible for re-admission to the Law School at a later date.

Any student who with permission discontinues his study of law for any reason after his initial enrollment and prior to completion of his degree and is re-admitted will be bound by all regulations and requirements in effect at the time of his re-admission and such additional requirements as may be prescribed by the Faculty Committee on Academic Standards.

## REGISTRATION WITH THE STATE BAR COMMISSIONS

The State Bar Commission of Alabama requires that every person entering a law school with the intention of thereafter applying to the Alabama Bar must file a written notice of his or her intention to begin the study of law and thereafter apply for admission to the Alabama Bar with the Secretary of the Board of Commissioners of the Alabama State Bar.

The application forms used for registration with the State Bar Commission together with forms used for character affidavits and a sheet of instructions may be obtained by writing directly to Secretary, Alabama State Bar, P. O. Box 2106, Montgomery, Alabama, or may be received in the Dean's Office at Cumberland after registration as a Cumberland student. Forms used for Tennessee registration may be obtained directly from the Dean of the Cumberland School of Law after registration as a Cumberland student. Forms for Florida may be obtained from Executive Director, Florida Board of Bar Examiners, Supreme Court Building, Tallahassee, Florida or may be received in the Dean's Office at Cumberland after registration as a Cumberland student.

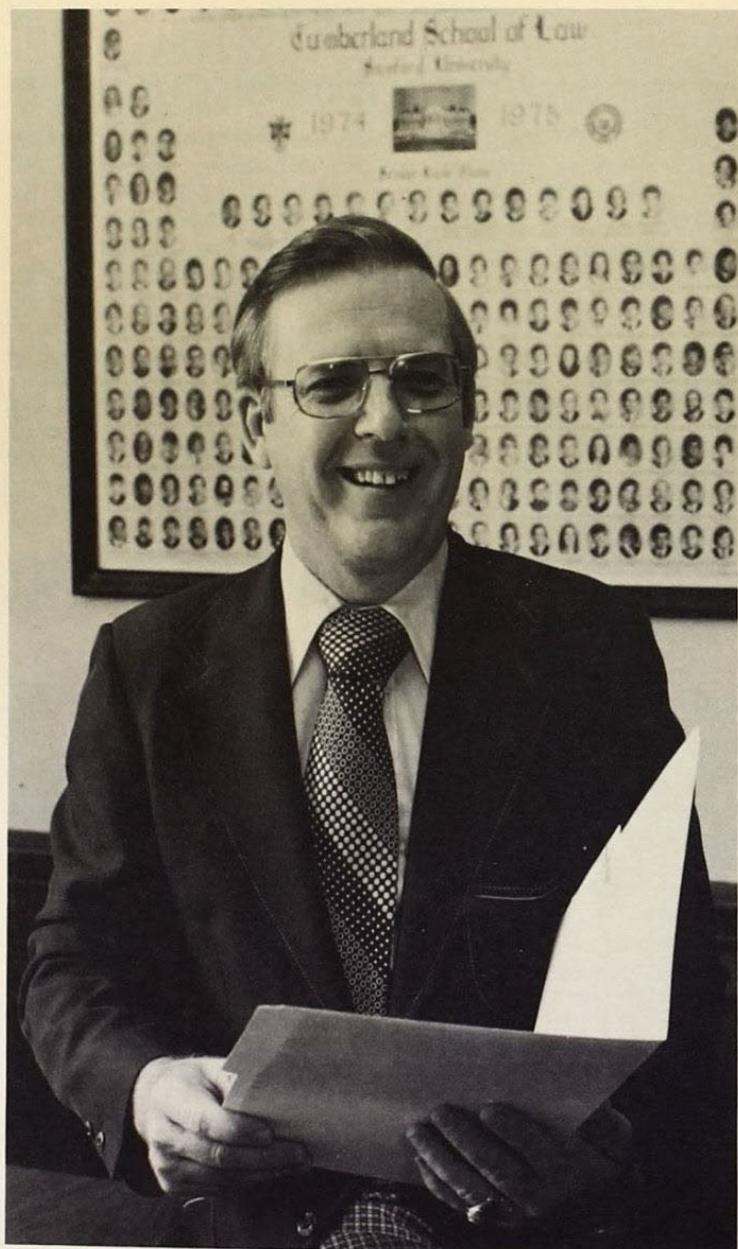
Students who expect to practice law in states other than Alabama, Tennessee, or Florida should investigate similar requirements in such states and meet all requirements of such states.

## POLICY ON CREDIT FROM OTHER LAW SCHOOLS AS A TRANSIENT STUDENT

In order to permit students at the Cumberland School of Law of Samford University to participate in other innovative summer programs around the nation, students with adequate proven scholastic ability will be approved as transient students to attend programs sponsored by other American law schools which are members of the Association of American Law Schools. These programs include study in England, Belgium, France, Israel, Mexico and other countries sponsored by several American law schools. They also include clinical programs, urban studies programs, and similar programs sponsored by other law schools.

In order to receive credit for these programs, the American law school sponsoring such program must grant credit toward its own first professional degree for the specific course undertaken by the student. Except with special permission, the subjects taken must be used in lieu of electives at the Cumberland School of Law. A transcript must be furnished by the sponsoring American law school indicating the course, grade, and credit.

Under special circumstances, a student from out of state will be permitted to take specific courses of particular importance within his state as a transient student in a member school within his state, which credit will be acceptable toward his degree at the Cumberland School of Law.



Dean Donald E. Corley

*Chapter III*

## **Academic Regulations**

### **The Grading System:**

Students are graded in their academic achievements according to a system of letter grades with quality points assigned as noted below:

A — 3.0	D — 0.0
B+ — 2.5	F — 0.0
B — 2.0	I — Incomplete
C+ — 1.5	WP — Withdrawn
C — 1.0	WF — Withdrawal Failing
D+ — 0.5	P — Pass

### **Report of Grades:**

Generally the report of a student's grades for each semester is sent to the student personally.

### **Attendance in Class:**

Regularity and punctuality in class attendance are required. No student may take an examination or receive credit in a course if he has been absent in the course in excess of 20 per cent of the class periods. The Dean and the faculty will consider requests for permission to be absent because of emergency conditions. Absence from classes is a factor which may be taken into consideration in determining final grades.

### **Academic Standards:**

Rules of the Committee on Academic Standards governing probation and dismissal of students with academic deficiencies are as follows:

All students in the Cumberland School of Law of Samford University are required to maintain an overall cumulative grade point average of "C"

(1.0 on a 3 point scale). However, a beginning student may be permitted two academic semesters to attain an overall cumulative grade point average of 1.0 unless his first academic semester's overall cumulative grade point average is less than 0.5, in which case he will be dismissed for academic deficiency at the termination of his first academic semester. Any student who has a grade point average of 0.5 or better at the end of his first semester and who does not have an overall cumulative grade point average of 1.0 at the end of his second semester will be dismissed for academic deficiency at the termination of his second semester and will remain ineligible for re-admission without approval of the Academic Standards Committee.

After satisfactory completion of the first two academic semesters, any student who thereafter fails to maintain an overall cumulative grade point average of 1.0 will automatically, without written notice, be placed on probation and may be permitted to continue attendance for the next succeeding academic semester or summer term on a probationary status after which his overall cumulative grade point average must be no less than 1.0 or he will be dismissed and will remain ineligible for re-admission. Any student who is uncertain about his status may request information from the Academic Standards Committee.\*

### HONOR CODE

Cumberland students adopted an honor code in the 1974-1975 school term. The Code places each student on his/her honor in the following areas of academic affairs:

1. Cheating. Work submitted for grade, upon completion of the studying process, must be the result of one's individual efforts.
2. Stealing. The Code prohibits the stealing or willful destruction of any institutional or personal property while a student at Cumberland School of Law.
3. Lying. It is an offense under the Code for any student to knowingly issue a false oral or written statement pertaining to any academic matter while a student at the Cumberland School of Law.

Twelve justices are elected at large by the student body, and these, in turn, select a chief justice from among themselves. In the event that a trial becomes necessary the honor court conducts both the investigation and the trial. Much careful planning has gone into the goal of preserving maximum due process protections. Trials are kept totally secret and all documents and evidence are destroyed upon acquittal. If convicted, the defendant may request destruction of the documents after graduation. The court makes recommendations for discipline to the Dean if a defendant is found guilty.

\*Receipt of official grade report from the University Registrar's Office indicating grades for specific courses and overall cumulative grade point average shall constitute official written notice to the student of his academic status.

## **Tuition and Fees**

### **TUITION**

The basic cost for the law student is \$85.00\* per semester hour, not including variable expenses such as books, supplies, and special charges for late registration, change of schedule, etc. All student charges are payable at the beginning of the semester.

After completion of the registration procedure, an invoice will be sent to the person indicated by the student on his registration forms. The invoice will reflect any previous credits to the student's account (or any unpaid balances). The amount shown on the invoice must be paid by the date designated on the invoice. Payment after the due date will incur a \$10.00 penalty.

Students who wish to arrange a deferred payment plan are referred to any one of the several lending and trust agencies which cooperate with the University in this connection. It should be noted that it is the sole responsibility of the student and/or his parents to make deferred payment arrangements in advance of registration.

### **Refunds:**

No reduction in tuition charges will be allowed for any course dropped after two weeks from the first day of registration. In order to be eligible for any reduction in charges or refunds for withdrawal or suspension from the University, the student must present to the Registrar an official withdrawal form, dated and signed by the Dean of the Law School. If a student withdraws or is suspended, he will be required to pay the University the following percentage of all tuition and fees applying to that semester (the first day of registration will be considered the first day of school):

\*Every possible effort is made by the University to avoid tuition increases; however, the University must reserve the right to change tuition at its discretion. Such changes are considered by the Board of Trustees at the annual May meeting. Since the catalog for the following school year is published prior to this meeting, it is impossible to have the final tuition figure for inclusion in the catalog.

1. Withdrawal or suspension before classes begin—10% of all tuition and fees applying to that semester (in no case less than the application deposit)
2. Within two weeks after the beginning of the semester—20% of all tuition and fees applying to that semester (not less than \$50.00)
3. After two weeks, but prior to six weeks—50%
4. Six weeks and thereafter—100%
5. Refunds for a summer term will be adjusted in a comparable manner, but based upon a fewer number of weeks in attendance. No refunds will be made after three weeks.

### FEES FOR DROPS AND ADDS

Drops and adds are changes in a schedule that do not involve complete withdrawal from school. During the first two weeks of the term, the following rules apply:

1. If a student changes his schedule but does not reduce the total number of hours for which he originally registered, he will pay a \$3 change of schedule fee plus the applicable tuition and fees on any hours added.
2. If a schedule change results in a reduction of the student's total hours, tuition and fees will be adjusted, but a charge of \$7 will be made for each hour by which the original total is reduced. For example:

Drop 3 hours and add 2 — charge \$ 7.00

Drop 3 hours and add 1 — charge 14.00

Drop 3 hours and add 0 — charge 21.00

3. Courses may not be added after the first two weeks of the term. If a course is dropped after the first two weeks of the term, no reduction in charges will be made.
4. Each change in schedule is considered a separate transaction and previous transactions will have no bearing on the calculation of charges.
5. All charges for drops and adds *must* be paid in the Student Accounts Office in cash before the transaction can be completed. None of these fees can be added to the student's invoice.  
Please note that it will benefit the student to register only for the number of hours he is sure he can take. It will be less expensive to add hours than to drop hours.

### REFUNDS (Summer Sessions)

The summer session refund policy for withdrawal, drops and adds, or suspension is as follows:

1. Before classes begin—the student will be required to pay the University 10% of all tuition and fees.

2. Within the first week—the student will be required to pay the University 20% of all tuition and fees.
3. After the first week, but before the end of the second week, the student will be required to pay the University 50% of all tuition and fees.
4. If a student withdraws from a summer term after the second week, he will be required to pay all charges for tuition and fees for the entire term.
5. Drops and adds will be handled as mentioned above, except that after one week no reduction will be made in charges.
6. For purposes of computing adjustments, the first day of registration will be considered the first day of school.

### SPECIAL FEES

(Not included in tuition)

These fees apply to all classes, fall, spring, or summer:

Automobile parking and registration, per year.....	\$ 5.00
Failure to register a car and properly display the identification decal will subject the offender to a \$5.00 fine. A leaflet giving detailed traffic and parking regulations may be secured in the Traffic Control Office.	
Graduation (includes senior picture charge of \$10.00).....	\$ 37.00
Late registration .....	\$ 10.00
Late Payment .....	\$ 10.00
Special examinations to make up excused absences.....	\$ 12.00
Transcript, payable in advance (each copy after the first).....	\$ 2.00
Application fee (non-refundable).....	\$ 25.00
Reapplication Fee .....	\$ 10.00
Acceptance deposit (credited to applicant's tuition) .....	\$100.00

### HOUSING

#### Off-Campus Housing:

Due to various factors including the limited number of on-campus accommodations and the absence of separate graduate student residence hall facilities on campus, most law students prefer off-campus lodging. There are numerous apartment complexes near the Samford campus. Students interested in off-campus housing should direct their inquiries to the Cumberland Student Bar Association or to the University Housing Director.

**On-Campus Housing:**

For *single* students preferring to live on campus, Samford provides six residence halls containing single, double, and triple rooms, some with private baths, some with connecting baths, but most with baths on the halls. All rooms have telephones.

Room and board rates for men per regular semester range from \$485.00 per occupant to \$966.00 per occupant. Summer term room rates for men range from \$193.00 per occupant to \$275.00 per occupant.

Room and board rates for women per regular semester range from \$490.00 per occupant to \$981.00 per occupant. Summer term room rates for women range from \$200.00 per occupant to \$280.00 per occupant.

The University reserves the right to assign or re-assign residence hall accommodations according to its own best judgment.

An individual desiring a residence hall room must complete and submit a room application form. All inquiries and arrangements regarding residence hall accommodations should be directed to the Office of University Housing.

For *married* students preferring to live on-campus, Samford provides fifty apartment units. These are two-bedroom accommodations located on Odom Lane. Rental rates range from \$95.00 per month to \$165.00 per month plus utilities. All apartments require a \$50.00 deposit and a 12 month Automatic Renewal Lease. Applicants for apartments can be acquired from the Office of University Housing, Samford University.



**Finals of Law Day Moot Court Competition.**

## **Master Schedule and Curriculum**

### **REQUIRED COURSES**

#### **First Year**

FALL SEMESTER	SPRING SEMESTER
Torts I .....	3 Torts II .....
Contracts I .....	3 Contracts II .....
Property I .....	3 Property II .....
Criminal Law .....	3 Civil Procedure I .....
Constitutional Law I .....	2 Constitutional Law II .....
Legal Bibliography .....	1

#### **Second Year**

FALL SEMESTER	SPRING SEMESTER
Civil Procedure II .....	3 Evidence .....
Business Organizations I .....	3 Business Organizations II .....
Federal Income Tax .....	3 Federal Estate and Gift Tax .....
Commercial Transactions I .....	3 Commercial Transactions II .....

#### **Third Year**

FALL SEMESTER	SPRING SEMESTER
Decedent's Estates and Trusts I ... 3	Decedent's Estates and Trusts II ... 3
Conflicts .....	Professional Responsibility ..... 2
	Trial Advocacy ..... 1

### **SUMMER TERM**

The summer term usually consists of elective courses and seminars; however, a minimum number of required courses may be offered. The sum-

mer term schedule will be announced during the spring semester. The summer term may be used to accelerate graduation.

THE SCHOOL OF LAW RESERVES THE RIGHT TO CHANGE OR ALTER THE MASTER SCHEDULE WITHOUT PRIOR NOTICE WHENEVER IN THE OPINION OF THE DEAN AND FACULTY IT IS ACADEMICALLY BENEFICIAL TO DO SO.

## DESCRIPTION OF COURSES

### FIRST YEAR REQUIRED COURSES

LAW 502. TORTS I. (3) General principles of tort liability; parties held responsible; remedies for torts; injuries to persons, property and character; negligence; acts at peril; unlawful interference with business.

LAW 503. TORTS II. (3) Continuation of LAW 502.

LAW 506. CONTRACTS I. (3) Elements of Contract Law; principles of offer, acceptance, mutual assent, consideration, and capable parties; Statute of Frauds, parole evidence, assignment, third party beneficiaries, quasi-contracts, remedies. Pertinent provisions of the UCC are covered.

LAW 507. CONTRACTS II. (3) Continuation of LAW 506.

LAW 522. CONSTITUTIONAL LAW I. (2) Preconstitutional development, philosophy and form of constitutions; interpretation and constructions; the amendment of constitutions; the Federal System; distribution of sovereign powers, power of the executive, powers of the legislature and judicial powers; constitutional limitations and guaranties.

LAW 523. CONSTITUTIONAL LAW II. (2) Continuation of LAW 522.

LAW 555. CIVIL PROCEDURE I. (3) Introduction to the basic elements of civil procedure, including the general rules of pleading, requirements of form for the various pleadings; with some emphasis on discovery and other pre-trial proceedings.

LAW 561. CRIMINAL LAW. (3) Substantive areas of the law of crime will be examined with emphasis on the Model Penal Code; intent, the act itself, justification and defenses are also stressed.

LAW 573. PROPERTY I. (3) The feudal system; tenures; estates of freehold and less than freehold; construction of limitations in deeds and wills; transfers inter vivos, covenants running with the land; easements and profits; reversionary rights, personal property and chattels.

LAW 574. PROPERTY II. (3) Continuation of LAW 573 with emphasis on conveyancing and modern property transactions.

LAW 581. **LEGAL BIBLIOGRAPHY.** (1) The study of the fundamental tools of legal research and their use. Problems and memoranda are assigned so that the student might learn how to develop skills in legal research techniques.

#### SECOND YEAR REQUIRED COURSES

LAW 607. **EVIDENCE.** (3) Rules governing admission and exclusion of evidence; judicial notice; presumptions and burden of proof; admissions, the hearsay-evidence rule, and its exceptions; documentary evidence; the parole evidence rule; expert testimony and expert opinion evidence; circumstantial evidence; real evidence, provinces of court and jury; witnesses; evidence illegally obtained; effect of contracts; changing or waiving rules of evidence.

LAW 620. **CIVIL PROCEDURE II.** (3) Continuation of LAW 619 including code pleading and federal rules of practice.

LAW 631. **COMMERCIAL TRANSACTIONS I.** (3) A survey of the law of commercial transactions; principally as contained in the Uniform Commercial Code, with emphasis on sales, commercial paper, bank collections, and secured transactions.

LAW 632. **COMMERCIAL TRANSACTIONS II.** (3) A continuation of LAW 631.

LAW 637. **BUSINESS ORGANIZATION I.** (3) This course deals with the formation of corporations and their powers, the duties and liabilities of directors and the rights and powers of stockholders. Promoters' agreements; distribution of corporate powers between shareholders, directors and officers; de facto existence; directors' duties and remedies. This course also includes the Law of Agency & Partnership.

LAW 638. **BUSINESS ORGANIZATION II.** (3) This is a continuation of LAW 637.

LAW 762. **FEDERAL ESTATE AND GIFT TAX.** (2) Origin and economic basis of Federal estate and gift tax; jurisdiction to tax; estate tax problems; gift tax problems.

LAW 763. **FEDERAL INCOME TAX.** (3) Origin and economic basis of Federal income tax; jurisdiction to tax; taxable income; exceptions and deductions; capital gains; basis and adjusted basis; income tax problems.

#### THIRD YEAR REQUIRED COURSES

LAW 694. **DECEDENT'S ESTATES AND TRUSTS I.** (3) Form and requisite of wills; fraud and undue influence; restraints on testamentary

power; capacity and power to make wills; execution and revocation; construction and interpretation; the nature, creation and elements of a trust; expressed and implied trusts; rights, duties and liabilities of trustees and beneficiaries; liabilities of third persons; transfers by trustees and beneficiaries; the doctrine of notice as applied to trusts; administration of estates; the powers and duties of fiduciaries; settlement and distribution of decedent's estates with tax problems incident thereto and problems in future interests as applicable to decedents estates and trusts.

LAW 695. DECEDENT'S ESTATES AND TRUSTS II. (3) A continuation of LAW 694. These two courses are an integration of Wills, Trusts, Future Interests, and the Administration of Estates.

LAW 741. CONFLICT OF LAWS. (3) Problems of procedural and substantive laws concerning the rights of persons and property within the territorial borders of one state or nation by reason of acts done within the territorial borders of another state or nation.

LAW 781. PROFESSIONAL RESPONSIBILITY. (2) Duties of lawyers to courts and clients; ethical problems in actual practice; attitude toward the court and fellow members of the bar; unauthorized practice of law; canons of ethics and code of professional responsibility.

LAW 816. TRIAL ADVOCACY. (1) Students enrolled in this course will handle a case, based on a given set of facts, beginning with a pre-trial conference through the rendering of a verdict. The case will be tried before a judge and before jurors selected from the community. In addition students will be given a limited amount of class-room instruction. The course is limited to seniors only. This course is required for all students and thus does not count toward the maximum allowable clinical or research hours.

#### \*ELECTIVE COURSES

LAW 583. APPELLATE ADVOCACY I. (1) Emphasis is primarily on appellate writing, commencing with notice of appeal. The course work includes preparation of writs and briefs. The course includes class lectures and individual instruction.

LAW 600. APPELLATE ADVOCACY II. (2) Continuation of LAW 583. Emphasis is primarily on development of the art of oral advocacy. Students participate in supervised practice and competitive oral argument rounds.

LAW 603. CURRENT LEGAL PROBLEMS. (1) Research upon legal problems in any field of law may be carried on with the consent of the instructor involved. Special emphasis is placed on the proper presentation of the research which may involve speaking to or working with school and civic groups outside the law school setting.

LAW 606. TRIAL AND APPELLATE PRACTICE. (2) Jurisdiction and practice of and incident to civil and criminal appeals. Drafting of applicable papers required.

LAW 610. APPELLATE BRIEF WRITING. (1) This is a course designed to teach the techniques of successful brief writing at appellate level.

LAW 622. EQUITY. (3) Rise and progress of the High Court of Chancery; equitable maxims; trusts; mortgages; assignments; accidents and mistakes; notice; equitable estoppel; conversion and reconversion, specific performance; injunctions; accounts; partnership, creditors and administration suits; jurisdiction over infants, idiots, and lunatics; bill quia timet and for a discovery.

LAW 624. RESTITUTION. (2) A survey of restitutionary recovery including both legal and equitable remedies; rescission of contracts; quasi-contract and constructive trust; equitable accounting; money had and received.

LAW 625. FIRST AMENDMENT RIGHTS. (2) An advanced course in constitutional law, dealing with those rights and freedoms guaranteed by the first amendment; separation of church and state, freedom of speech, freedom of the press, the right to privacy, and related problems.

LAW 644. DAMAGES. (2) A study of the kinds of damages, nominal, compensatory and punitive; a measurement of damages in particular actions; speculative, remote or contingent damages; aggravation or mitigation of damages; general and special damages.

LAW 650. RESEARCH BOARD I. (1)

LAW 651. RESEARCH BOARD II. (1)

LAW 652. RESEARCH BOARD III. (1)

LAW 661. MUNICIPAL CORPORATIONS. (2) The nature of municipal corporations; their creation and organization; municipal charters; municipal territory; powers of municipal corporations; their governing bodies; municipal officers; contracts; torts; property; records; dissolution; police powers; land use regulations; funds; indebtedness.

LAW 662. DOMESTIC RELATIONS. (3) Persons under disability, their contracts and torts; marriage and divorce, including validity of interstate divorces; rights and liabilities of husband and wife; property rights under common law and Married Women's Acts; parent and child rights and obligations arising out of the relation; guardian and ward.

LAW 665. CRIMINAL PROCEDURE I. (2) A survey of Constitutional criminal procedural issues from the pre-trial phase up to the time of trial; includes fourth, fifth, and sixth Amendment issues.

LAW 666. CRIMINAL PROCEDURE II. (2) A survey of Constitutional criminal procedural issues from the trial through appeal and post-appeal with emphasis on the decision making process of the Supreme Court and not on trial practices.

LAW 675. SECURITY TRANSACTIONS. (2) Obligations of guarantors; contracts of suretyship; liabilities of sureties; interpretation and construction of contract, fraud and duress; discharge or release of sureties; rights and duties of creditors, sureties and principals; contribution and exoneration. Form, substance and elements of the mortgage; transfer of secured interest, priority and marshalling. Pertinent provisions of the Uniform Commercial Code are covered.

LAW 680. LEGAL HISTORY. (2) The history of Anglo-American law from its early beginning in the eleventh century to its present position in the twentieth century. Development of writs; courts and juries, development of legal institutions; reception of the English law in America.

LAW 685. ADMIRALTY. (2) Maritime jurisdiction; maritime liens, claims of maritime workers, carriage of goods at sea; particular maritime transactions, including charter parties, salvage, general average and insurance; liability for collision; limited liability.

LAW 691. SPECIAL RESEARCH PROBLEMS I. (1) A special research problem may be arranged by the individual student with the approval and under the supervision of a faculty advisor.

LAW 692. SPECIAL RESEARCH PROBLEMS II. (1) Continuation of Law 691.

LAW 693. LEGAL ACCOUNTING. (2) Study analysis of balance sheet, income statement, and accounting concepts and principles that serve as controls over corporate distributions; financial reporting and investor protection; problems in accounting relating to various areas of the law.

LAW 703. ALABAMA EVIDENCE. (2) Continuation of LAW 607 with emphasis on the particular Alabama rule of evidence and specific Alabama interpretation and application of general principles in this field.

LAW 704. INSURANCE. (2) The theory of insurance; kinds of insurance, fire, life, accident, and other forms; the insurance contracts; the premium; insurable interest; the risk insured against; rights, duties and liabilities of insurer and insured; representations and warranties; payment of losses, contribution and subrogation; reinsurance; actions on policies.

LAW 705. RESEARCH AND WRITING. (1) A seminar coordinating research techniques incorporating the use of specialized material in designated subject matter area. Open only to seniors.

LAW 707. BANKRUPTCY. (2) Creation of courts of bankruptcy; acts of bankruptcy; voluntary and involuntary bankruptcy; process, pleading, schedules and adjudication; debts dischargeable and those not dischargeable in bankruptcy; appointment of receivers and trustees; granting and revocation of discharges in bankruptcy; administration of the bankrupt's estate. Pertinent provisions of the Uniform Commercial Code are covered.

LAW 708. LAW PRACTICE SEMINAR. (2) Program wherein students, under the instruction of local attorneys, will be involved in actual preparation of legal documents and the routine processing of such documents. This course affords an opportunity for student to observe and analyze the practical operation of a law practice.

LAW 711. LAW AND POVERTY. (2) Examination of special legal problems pertaining to the poor, which includes housing, racial discrimination, consumer credit and family law.

LAW 715. REAL ESTATE TRANSACTIONS. (2) This course is designed to follow Property II. Property I and II being prerequisites. The actual preparation and examination of instruments relating to leases, sales, mortgages, and other real estate transactions is part of this course. The course also deals with the preparation and examination of abstracts of title and the rendering of title opinions.

LAW 721. FEDERAL SECURITIES LAW. (2) A seminar in Federal regulation of the trading and distribution of corporate securities. The course is designed to develop familiarity with basic source materials relating to federal regulation of the securities market.

LAW 730. UCC SEMINAR I. (2) An in-depth study of one of the articles of the Uniform Commercial Code.

LAW 731. UCC SEMINAR II. (2) An advanced seminar dealing with selected areas of the Code.

LAW 732. STATE AND LOCAL TAXATION. (2) A study of the nature of various state and local taxes, including income taxes, franchise taxes, sales and use taxes and property taxes. Special emphasis on interstate corporations.

LAW 734. ISSUES IN LEGAL EDUCATION. (2) A study of problems and trends in legal education. Close scrutiny will be given to recent trends in such areas as curriculum development and flexibility, clinical education, student involvement in the mechanics and processes of law school administration, specialization, admissions, and student and faculty evaluation.

LAW 735. LEGAL ISSUES IN EDUCATION. (2) A study of basic legal problems in education including a survey of statutory and case law

dealing with the rights, obligations and responsibilities of students, teachers, and administrators.

LAW 736. CIVIL RIGHTS LITIGATION. (2) Exploration of the limits on the power of government to regulate individual and group activity, with emphasis on the constitutionally guaranteed civil rights of every citizen.

LAW 737. PRACTICAL PROBLEMS IN EVIDENCE. (2) Seminar type course in which the students work in correlation with Civil and Criminal Circuit Court Judges. They shall perform research, prepare memoranda, and participate in actual pre-trial conferences.

LAW 738. STATE AND FEDERAL LEGISLATION. (2) A practical study in drafting legislation and legislative enactment processes with study of pertinent current legislation.

LAW 742. INTERNATIONAL LAW. (2) The nature, scope, development and jurisdiction of international law; rules of warfare; treaties; sanctions, world organization.

LAW 743. INTERNATIONAL TRADE LAW. (2) A survey of basic legal problems faced by corporations, joint enterprise, and individuals doing business abroad. Practical export-import operations and problems are studied from American and foreign law viewpoints.

LAW 744. ADMINISTRATIVE PROCESS. (3) A study of the functions and procedures of administrative agencies operating within the executive branch of government. Included are the investigation, interpretive, rulemaking, adjudicatory, and enforcement functions of administrative agencies, and judicial review of administrative action.

LAW 745. BUSINESS PLANNING. (2) Seminar type course in which the students do research in relation to business planning and draft such instruments as Articles of Incorporation, Agreements on Recapitalization, Merger and Liquidation. Corporate tax problems will be considered in prescribing the provisions that such instruments should contain. Tax consequences to corporate officials and stockholders will be considered. The selection of capital structure, allocation of control, the evaluation of assets and of the stock will be among the problems encountered. The course will be limited to seniors who have had at least 3 hours of Federal Taxation.

LAW 746. MILITARY JUSTICE. (2) Principles of military law; court martial procedure; rules of land warfare.

LAW 747. TRIAL PRACTICE. (2) Seminar type course that is designed to continue the students study of procedure. This course emphasizes procedural aspects in the courtroom, and is limited to seniors who have had Civil Procedure I and II.

LAW 748. LAW AND MORALITY. (2) Various bases for legal and moral norms will be examined with particular attention to the concept of justice. A definite attempt at ethical theory-building will be made. An interdisciplinary approach will be used. Participants will engage in in-depth research and dialog with respect to social, legal and moral issues. Consideration is given to the practical consequences of various value premises.

LAW 749. ALABAMA CIVIL PROCEDURE. (2) This course deals with motions, pleadings and trial procedure in civil actions in Alabama under the Alabama Rules of Civil Procedure and Amendments thereto; includes both practical exercises and case study.

LAW 761. CORPORATE TAXATION. (3) Federal income taxation of corporate organizations, operations, distributions and adjustments of capital structure.

LAW 764. ESTATE PLANNING. (2) Utilization of the federal income, estate and gift tax systems in estate planning.

LAW 765. FEDERAL TAX PROCEDURE. (2) This course emphasizes all procedural problems up to and including the Tax Court Procedures.

LAW 767. LABOR LAW. (2) Legal problems incident to collective bargaining by employees at common-law and under modern federal and state legislation; Taft-Hartley Act; closed shop; union shop; picketing; the strike. Rights of labor and rights of management. Common law rights of employees and rights under modern federal and state legislation.

LAW 768. EMPLOYEE BENEFITS. (2) A study of benefits from the employment relationship; workmen's compensation, unemployment insurance, social security.

LAW 769. STUDENT SEMINAR I. (1) This course will involve primarily selected third year students who will be involved with small seminars of about ten first year students, usually in their first semester. The third-year students will work under the supervision of a regular, full-time faculty member. The purpose of the course is to develop the thought processes of the third year student in the particular area, such as Constitutional Law, Contracts, Torts, etc., in which such student is working.

LAW 770. STUDENT SEMINAR II. (1) Continuation of LAW 769.

LAW 771. OIL AND GAS. (2) A study of the law, statutes, and regulations relating to the production, processing, and transportation of oil and gas.

LAW 773. TRADE REGULATIONS. (2) Antitrust policy under Sherman, Clayton and Federal Trade Commission Acts; restraints of trade and monopoly; price fixing; trade association activities; market divisions;

resale price maintenance; delivered price systems; patents and patent procedure. A study of the legal, economic and social principles underlying government regulation on private business; common law as well as statutory regulations are considered.

LAW 775. MODERN CONSTITUTIONAL PROBLEMS. (2) Recent decisions of the United States Supreme Court and implications thereof. Problems in a changing society.

LAW 777. MOOT COURT BOARD I. (1) A board of junior and senior law students consisting of the Chief Justice, 3 Justices, and Associate Justices who write the problems and supervise the brief writing for students in LAW 583 and the oral arguments for students in LAW 600. The Board also supervises interscholastic appellate advocacy competition. As a prerequisite for this credit, a student must have completed one semester of Moot Court Board work.

LAW 778. MOOT COURT BOARD II. (1)

LAW 779. MOOT COURT BOARD III. (1)

LAW 780. LAW AND MEDICINE. (2) Study of the principle organ systems, elementary pathology, toxicology and clinical psychiatry. Preparation and participation of medical witnesses. Hospital charts and records. Malpractice and interprofessional problems. Anatomical charts and various aids are employed in presentation of the course.

LAW 782. FRANCHISING. (2) Problems beyond basic contracts law involved in modern business transactions concerning multi-state franchising operations.

LAW 783. PSYCHIATRY/PSYCHOLOGY AND LAW. (2) This course is a survey of the applications of psychiatry and psychology to the practice of law including expert testimony, criminal and civil-competency, involuntary commitment and right to treatment as a matter of due process, testamentary capacity, domestic relations including divorce, child custody and abortion, professional liability of the psychotherapist, interviewing and consultation skills, jury selection and body language, psychiatric consultation on tort liability and damages including traumatic neurosis, referral for treatment including drug abuse, alcoholism, and sexual offenses.

LAW 784. PRODUCTS LIABILITY. (2) The study of the common law of products liability with particular emphasis on the theories of recovery for harm from dangerous and defective products; also covered are problems relating to proof, litigation, legislation, and trial techniques.

LAW 785. CORRECTIONAL LAW SEMINAR. (2) A study of different theories of punishment and incarceration which begins with the sentencing decision of the judge, includes conditions of incarceration as

dictated by the Constitution along with prisoner's rights and ends with the decision to release the offender on parole with his consequent supervision and attempted re-integration into society.

LAW 786. ADVANCED PROBLEMS IN EVIDENCE. (2) This is a seminar type course taught by the problematic method in which the student is assigned problems involving specialized areas of evidence that are not covered in the basic course with the problems designed to present an in-depth study of evidentiary questions as they would arise in a trial setting.

LAW 787. JUVENILE JUSTICE ADMINISTRATION. (3) A study of the basic principles of juvenile court procedures from the time of detention to final disposition.

LAW 788. ADVANCED PROBLEMS IN TORTS. (2) Seminar primarily designed to give second and third year students with a keen interest in the law of torts an opportunity for concentrated consideration of selected problems in this area.

LAW 789. ADVANCED PROBLEMS IN PROPERTY I. (1) The study of selected legal problems relating to the ownership and use of real estate. Each student does concentrated research in a specialized area of the law of property.

LAW 790. JURISPRUDENCE. (2) This course is one in ideology and seeks to understand the basic values and ideals of western civilization by tracing them from the ancient Greeks to the present and to see these values as the ends of the legal system. Included are such concepts as democracy, aristocracy, liberalism, conservatism, socialism, capitalism, freedom, justice. It also deals with theories of the nature of the judicial process, the origin, sources and nature of law and includes the normative, imperative, ideal and social-control conceptions of law. It deals with schools of juristic thought such as utilitarianism, pragmatism, American legal realism, and sociological jurisprudence.

LAW 791. JUDICIAL DECISION PROCESS. (2) This course deals with the art, craft or business of "judging". It is designed to be a study of how courts decide cases, an analysis of decision making as it actually takes place and as it ought to take place. The aim will be to provide special insight into judicial decision making.

LAW 792. ADVANCED PROBLEMS IN PROPERTY II. (1) A continuation of Law 789.

LAW 793. ADVANCE PROBLEMS IN CORPORATE TAXATION. (2) Advanced problems in federal income taxation of corporations.

LAW 794. ADVANCED PROBLEMS IN CONSTITUTIONAL LAW. (1) A continuation of Law 522 and Law 523.

LAW 795. LAW REVIEW. I (1) As a prerequisite for law review credit a student must have successfully completed one semester of law review work.

LAW 796. LAW REVIEW II. (1) Continuation of LAW 795.

LAW 797. LAW REVIEW III. (1) Continuation of LAW 796.

LAW 798. ENVIRONMENTAL LAW. (3) Study of the rapidly evolving common law, statutory and administrative responses to environmental degradation with particular emphasis on the National Environmental Policy Act; air, water and noise pollution control; federal impacting programs and public lands and water.

LAW 801. JUDICIAL CLERKSHIP. (1) Students will be assigned to Circuit Judges during the semester to do research, assist in the writing of judgments and/or observe circuit court proceedings. Students working in this capacity must be a junior or a senior and will be required to work or observe 5-6 hours per week for the semester. Students will not be certified under the Alabama Student Practice Rule. The credit received in this course will be counted as one of the maximum of six hours allowed in the clinical program.

LAW 802. CORPORATE CLERKSHIP. (1) Students will be assigned to legal departments of banks, companies, corporations or other similar institutions. This course is designed for the student who may want to specialize in these areas upon graduation. This course is available to both juniors and seniors and requires approximately 5-6 hours per week for the semester. However, the student cannot be paid for these 5-6 hours per week, but can receive pay for any additional hours. Students will not be certified under the Alabama Student Practice Rule. The credit received will be counted as one of the maximum of six hours allowed in the clinical program.

LAW 808. TRIAL PRACTICE-CRIMINAL. (2) This is a seminar type course taught by members of the Alabama Judiciary. The course is designed to enhance the student awareness of practical procedural problems encountered in the Alabama criminal courts and to give the student an insight into solving such problems. The course is available to juniors and seniors; however, the student must have taken Criminal Law and have taken or be taking Criminal Procedure I and Evidence. The credit received will not be counted as one of the maximum of 6 hours allowed in the clinical program, nor as one of the maximum of 5 hours allowed in the research department.

LAW 809. TRIAL PRACTICE-CIVIL. (2) This is a seminar course taught by members of the Alabama Judiciary. The course is designed to enhance the student's awareness of practical procedural problems encountered in the Alabama Civil courts and to give the student an insight into solving such problems. The course is available to juniors and seniors;

however, the student must have taken Civil Procedure I and II and have taken or be taking Evidence. The credit received will not be counted as one of the maximum of 6 hours allowed in the clinical program, nor as one of the maximum of 5 hours allowed in the research department.

**LAW 810. LEGAL INTERN I/ADVANCED TRIAL TECHNIQUE.**

(2) Each student enrolled in this course will receive 2 hours of classroom instruction per week and will be required to work a minimum of 18 hours during the semester in one of the following previously assigned offices: (1) District Attorney of Jefferson County; (2) Legal Aid Society of Birmingham; (3) Private attorney. A weekly report of the work done will be submitted by the student to the instructor. Students enrolled will be certified under the Alabama Student Practice Rule and will thus be required to have completed 54 semester hours including Criminal Law, Civil Procedure I and II, and Evidence. In addition, the student must have taken or be taking Trial Advocacy. The Alabama Student Practice Rule will allow students to try cases, prepare pleadings, negotiate settlements, interrogate clients and witnesses, and prepare appellate briefs under the supervision of a licensed attorney. The credit received will be counted toward the maximum of 6 hours allowed in the clinical program.

**LAW 812. LEGAL INTERN II/ADVANCED TRIAL TECHNIQUES.** (1) This course is a continuation of Legal Intern I (Law 810). Students enrolled in this course will continue in the office assigned in Legal Intern I for a minimum of 24 hours during the semester. There will be periodic meetings to co-ordinate the interns' activities and to discuss any problems. In addition, a weekly report will be required to be submitted by the student, however, there will be no classroom instruction. Legal Intern I is a prerequisite to this course. The credit received will count toward the maximum of 6 hours allowed in the clinical program.

**LAW 813. SUMMER INTERNSHIP.** (2) This course is for students working full time in Alabama, or any other state as a legal intern during the summer between their junior and senior years. The student must be working in one of the following offices: 1) State Attorney General; 2) District Attorney; 3) Public Defender; 4) any other office or position approved by the state's appropriate practice rule and by the Clinical Education Committee. Students will be required to submit weekly reports, however, no classroom work will be required. Students must meet the requirements of the state's practice rule. In addition, prior approval of the Clinical Education Department must be obtained. The credit received will count toward the maximum of 6 hours allowed in the clinical program.

**LAW 814. PRACTICAL FEDERAL PROBLEMS.** (2) This course is limited to a small number of students who will work in the office of the United States Attorney for approximately 8 hours per week for the semester. These students will be exposed to the practical side of drafting legal instruments, preparation of pleadings, preparation of trial briefs, preparing

for trial, praying and perfecting appeals, preparation of appellate briefs and preparation of petitions for writ of certiorari. There will be periodic classroom instruction. The course is available to both juniors and seniors. Students will not be certified under the Alabama Student Practice Rule. The credit received will count toward the maximum of 6 hours allowed in the clinical program.

LAW 817. ADVANCED PROBLEMS IN ADVOCACY. (1) This course is a continuation of Trial Advocacy (Law 816). Students enrolled in this course will concentrate on a single given set of facts (civil or criminal) and on the various trial techniques involved in that case. To enroll in this course, students must have taken Legal Intern I (Law 810) and Trial Advocacy (Law 816). In addition the students must be currently participating in the fall or spring interscholastic mock trial competition. Prior approval is required by the Clinical Education Department. The credit received will be counted toward the maximum of 6 hours allowed in the clinical program.

LAW 891. TRIAL ADVOCACY BOARD I. (1) This course involves and is limited to students currently participating as a member of the Trial Advocacy Board, i.e., members of the Clinical staff and writers and editors of *The American Journal of Trial Advocacy*. Before being eligible to receive credit and become a member of the Trial Advocacy Board, students must complete one semester of work with the Trial Advocacy Board as an associate member. The course is open to both juniors and seniors.

LAW 892. TRIAL ADVOCACY BOARD II. (1) This course is a continuation of Trial Advocacy Board I (Law 891) which is a prerequisite.

LAW 893. TRIAL ADVOCACY BOARD III. (1) This course is a continuation of Trial Advocacy Board I and II (Law 891 and 892) which are prerequisites.

\*THE FOREGOING COURSES ARE SUBJECT TO CHANGE AS THE SCHOOL OF LAW MAY DEEM EXPEDIENT. EVERY EFFORT IS MADE BY THE ADMINISTRATION TO OFFER EACH ELECTIVE COURSE AT LEAST ONCE EVERY THREE YEARS. WHETHER OR NOT AN ELECTIVE COURSE IS OFFERED DEPENDS PRIMARILY UPON THE REQUISITE STUDENT DEMAND AND FACULTY AVAILABILITY.

## **Trial Advocacy and Clinical Education**

### **TRIAL ADVOCACY AND CLINICAL EDUCATION**

The new Center for Trial Advocacy and Clinical Education consists of back to back courtrooms, each equipped with two remote controlled video cameras for taping mock trials, courses in advanced trial techniques, and other advocacy and clinical programs. On each side of the new courtroom are classrooms with video monitors which can be used to critique and observe trials in progress without interruption. The jury deliberation room contains a video camera which will allow the student attorneys to actually observe the jury's deliberation. The Center offers the finest educational facility available to students interested in litigation. The Center's philosophical and physical foundation is that the art of advocacy and litigation techniques are a specialty which should and must be taught to the student before graduation if he desires to try lawsuits and maintain his professional responsibility to represent his client with competence in the courtroom.

Just as the back to back courtrooms and video support systems are the center of the advocacy program, the heart and pulse of the Center is the Cumberland Trial Advocacy Board. The Trial Board is a student organization comprised of a Chief Judge, Associate Judges and Directors of various programs. The Trial Board coordinates the activities of the student interns in the courts throughout the State of Alabama, sponsors the National Mock Trial Competition, and aids in teaching, under the supervision of faculty members, inter-scholastic trial programs and the competition for junior law students.

In January of 1977, work began on the first issue of *The American Journal of Trial Advocacy*. The Journal is a law review type publication with a staff and Board of Editors. The Chief Judge of the Trial Advocacy Board also serves as Editor-in-Chief of *The American Journal of Trial Advocacy*. The Journal is the first law student review type publication with the primary goal of enhancing the concept of trial advocacy as an art and a true specialty in the study of law. Journal lead articles will focus on

tactics and techniques used by successful trial attorneys. Comments and Recent Decisions will be written by members of the Trial Advocacy Board.

Cumberland has had in the past, and continues to have, a strong core of required courses. However, traditional legal education has been expanded to include opportunities for learning the art of advocacy and involvement in Clinical Education through the student intern program. The Alabama Student Practice Act limits eligibility and internship to students who have completed two years of legal training. However, many topics and subjects which once were left to post law school experience are being made available to the student before graduation. The student may choose among courses and programs designed not only to provide a solid theoretical background, but also the practical experience necessary for the practice of law.

The following is a list of courses which constitute the academic program of the Center for Trial Advocacy and Clinical Education which is supervised by the faculty Committee on Advocacy and Clinical Education. A detailed course description can be found under the appropriate course number in Chapter V.

COURSES	CREDIT	GRADING
801 Judicial Clerkship	1	pass/fail
802 Corporate Clerkship	1	pass/fail
808 Criminal Trial Practice	2	graded
809 Civil Trial Practice	2	graded
810 Legal Intern I/Advanced Trial Techniques	2	graded
812 Legal Intern II/Advanced Trial Techniques	1	pass/fail
813 Summer Internship	2	pass/fail
814 Practical Federal Problems	2	graded
816 Trial Advocacy	1	graded
817 Advanced Problems in Advocacy	1	graded
891 Trial Advocacy Board I	1	graded
892 Trial Advocacy Board II	1	graded
893 Trial Advocacy Board III	1	graded

The general rule is that a student may take only six hours of Clinical Courses for credit toward graduation. Law 808, 809, and 816 are exceptions to this rule and credit earned in these courses, even though the six hour limit has been reached, will be given toward graduation.

## PROGRAMS IN ADVOCACY AND CLINICAL EDUCATION

### *National Mock Trial Competition*

The teams selected as winners of this competition represent Cumberland in the regional and national finals. This competition is limited to second and third year students. Students who compete for the National team will compete in pairs and will be required to try both sides of the law-suit. The judging is composed of a mixture of faculty and practitioners from the Jefferson County Bar which is composed of approximately 1,200 attorneys.

### *Jefferson County Circuit Judges' Mock Trial Competition*

Limited to third year interns, this competition is judged by members of the local trial bar, and is intended to give students further opportunity to exercise their skills in litigation. The finals are held during Law Week in the spring of each year. The winning team is by jury verdict and the presiding judge selects the Best Advocate award. The names of the members of the winning team and best advocate are inscribed on a plaque which hangs in the courtroom of the Chief Judge of Jefferson County.

### *Donald E. Corley Mock Trial Competition*

This program was initiated in the spring of 1977, to give second year students the opportunity to begin familiarizing themselves with trial work. The Cumberland Trial Advocacy Board assists in preparation for the competition by offering lectures on basic advocacy skills. Preliminary rounds are judged by members of the National Mock Trial Team.

### *Client Counseling Competition*

Winners of the intra-school competition represent Cumberland in the regional and national finals which are sponsored by the Law Student Division of the American Bar Association. Two-man teams interview a "client", and are judged on their ability to communicate with the client, elicit facts, advise the client, and recommend appropriate action. The Client Counseling Competition is faculty advised and run by the Cumberland Trial Advocacy Board.

### *Trial Advocacy Board*

The Trial Advocacy Board is the student organization which administers the various clinical programs, under the advisoryship of the Assistant Dean for Advocacy and Clinical Education and the faculty Committee on Advocacy and Clinical Education.

The Board has two primary functions: publication of *The American Journal of Trial Advocacy* and administration of the various competitions. Other duties include coordination of the Intern program, responsibility for the use and maintenance of audio-visual equipment used in clinical

courses and coordination of special programs such as Law Day, Law Convocation and the local chapter of the American Trial Lawyers Association.

Members of the Trial Advocacy Board include members of the staff of *The American Journal of Trial Advocacy* and students chosen from among those participating in any of the intra-school competitions.



Law School Faculty — Fall 1977

## **Student Activities**

### **STUDENT BAR ASSOCIATION**

The Student Bar Association, commonly referred to as the SBA, is the foundation of student organization at the law school and functions as the first professional association of a law student's legal career. The SBA is comprised of officers elected by the student body. These elected officers, known as the Executive Council, serve as the student's representatives with the Dean and faculty. As a student service organization, the Cumberland SBA coordinates and funds many of the student activities throughout the year. Besides sponsoring various law school activities and social events, the Student Bar Association is involved in many public projects such as voluntary defenders and penal reform programs in an effort to help provide meaningful legal assistance and services to the community. Moreover, the SBA is very active in the Law Student Division of the American Bar Association. Recently the Cumberland Student Bar Association was selected as the Most Outstanding Student Bar Association in the entire nation. This prestigious award makes the fourth time that our SBA has been cited in the last eight years. In addition, the SBA Speakers Program, known as the Forum, was chosen as the Most Outstanding Student Bar Association Project in the United States. The First Year Orientation Program, Registration and Law Day Programs also received national citations and currently are being used as model programs by other law schools. The Cumberland Student Bar Association is continually seeking to foster the growth of professional responsibility.

### **CUMBERLAND LAW REVIEW**

The *Cumberland Law Review* is a scholarly legal publication produced by students of the Cumberland School of Law. The *Review* has subscribers in all fifty states as well as several foreign countries. It is designed to provide the practicing attorney with concise yet comprehensive legal analysis of topics with national and regional interest.

The *Law Review* conducts a membership program for those freshmen who are in the upper fifteen percent of their class upon completion of the

first semester of study. The membership program is conducted in the spring semester and basically entails the preparation of a casenote and the exercise of fundamental research skills. Those students demonstrating a superior writing ability are invited to write for the *Review*.

The *Review* offices are located on the third floor of Robinson Hall and because of the library maintained by the *Review*, access is limited to *Review* members. A ten member Executive Board composed of Senior Law Students oversees the publication process which is carried out in conjunction with Associate Editors and members. The *Review* is published three times yearly and contains student works as well as Articles contributed by members of the bench and bar, law professors, and specialists in various fields.

*Law Review* membership provides the student with the opportunity to improve his legal writing ability and to develop sound research techniques. Membership on the *Law Review* is one of the highest academic honors one can achieve while in Law School and the experience derived from participation on *Law Review* is ideal training for the practice of law.

### CUMBERLAND RESEARCH BOARD

The Research Board was established to help law students achieve excellence in legal writing and research. This is accomplished by student participation in three areas. First, under the direction of the Faculty Advisor, Board members serve as instructors in weekly legal research and writing laboratory sessions to help students develop skills in the use of legal research tools. Second, the Research Board provides a research service for members of the practicing Bar, thus giving Board members valuable experience in researching and writing legal memorandum on current legal problems. Third, the Board assists in teaching a course in legal research which is a part of the Adult Education Program of Samford University. Members of the Research Board are selected on the basis of scholarship and interest in legal writing. Credit for graduation may be awarded for work satisfactory to the Board of Directors and Faculty Advisor.

### CUMBERLAND LAWYER

*The Cumberland Lawyer* is published quarterly by the Executive Secretary of the National Alumni Association of the Cumberland School of Law. This publication is designed to serve as a public relations magazine. It is to inform alumni, members of the Alabama Bar and Bench, friends of the School, and students of Law School activities with particular emphasis placed on areas which illustrate the traditions of the Law School and are of special interest to alumni.

## PRO CONFESSO

*The Pro Confesso*, which is the official student newspaper of the law school, was created in 1970 by the Student Bar Association, and approved by the Publication Board of the University. It is an intra-school forum for news and for the exchange of ideas and views by and between faculty and students. Membership is open to all students; articles may be submitted at any time. The publication is free to all Cumberland students. The staff consists of an Editor and an editorial board with the Dean of the Law School as Advisor.

## NATIONAL MOOT COURT COMPETITION

The Young Lawyers Committee of the Association of the Bar of the City of New York annually sponsors a National Appellate Moot Court Competition. Each year students representing the Cumberland School of Law compete in this event. The regional competition is conducted each year at a school in the southeastern region during the month of November, and the final rounds are held in New York City in December. Awards are presented to the regional winners for best argument and best brief and likewise for the national winners. Those students of the Cumberland School of Law who participate have their names inscribed on a plaque which is displayed in the Law School building. Cumberland captured the regional championship in 1974, going undefeated for the event.

## CORDELL HULL SPEAKERS FORUM

Each year the Student Bar Association sponsors a program of guest speakers intended to expand the law student's educational opportunities and his legal awareness. The Speakers Forum, as the program is now called, attracts nationally known figures who are noted for their work in such fields as education, the media, politics, and the law.

These programs are of great interest to the legal community, and especially to the student, for they provide a means by which the aspiring lawyer may expand his knowledge beyond the more limited borders of his classroom studies. Student participation in the selection of speakers is encouraged, and is necessary if the program is to maintain its present level of relevancy. Since the Forum's establishment, it has been cited for an award every year by the American Bar Association. It is required that every law student attend a majority of the Forum programs. The Speakers Forum won the national award for *Most Outstanding Student Bar Association Project for 1973-74*.

## NATIONAL LEGAL WRITING CONTESTS

In addition to the above prizes and awards, there are many national legal writing contests available to the law student. The law student is urged to participate in any of these contests which may appeal to his particular interest.

## MOOT COURT BOARD

The Moot Court Board was organized in 1970 to further appellate advocacy at Cumberland. This objective is achieved through course instruction, brief writing, oral argument competitions, and other general appellate activities. Membership on the Board is a high honor and is awarded only to those students who have exhibited ability and interest in appellate advocacy. The Board is supervised by a faculty advisor, a student elected Chief Justice, and three student Justices. Members of the Board may receive three academic credits toward graduation for work completed as Board members. The Board supervises student instruction in appellate advocacy in two elective courses, Appellate Advocacy I and II. Students in Appellate Advocacy II compete for the honor of arguing before the Alabama Supreme Court, or other noted members of the judiciary, as a final part of the course program. The Board also actively participates in the National and International Moot Court Competitions. Cumberland's teams have consistently won national and regional honors in both competitions.

## THE ORDER OF THE BARRISTER

The Order of the Barrister is a National Honorary Society formed for the purpose of recognizing distinguished achievements in the field of appellate advocacy demonstrated by students particularly in National and International Moot Court Competition and for the purpose of exchanging information by member schools regarding Moot Court operation. As a member of this association, Cumberland may each year nominate five individuals to receive the Order of Barrister Award.

## INTERNATIONAL LAW SOCIETY

The International Law Society seeks to promote a better understanding of the legal aspects of international problems through the presentation of programs and speakers with an emphasis in international relations. Each spring five members of the society are selected to represent the society in the International Law Society Moot Court competition. The competition is designed to select a regional winner, and the regional winners compete for the world title at the annual convention. The competition is based on a hypothetical case written by a leading scholar. Past competition cases have concerned deep ocean mining rights, space law, fishing rights, international

trade and human rights, recognition of states, and aircraft hijacking. Presently more than one hundred law schools in the United States, Canada, Argentina, Peru, Ethiopia, Liberia, Nigeria, Zambia, India, Singapore, The Netherlands, and the United Kingdom participate. In recent years Cumberland's Cordell Hull Chapter has elected the President and Treasurer of the Association of Student International Law Societies. Membership is open to all students.

### ENVIRONMENTAL LAW SOCIETY

The Cumberland Environmental Law Society seeks to encourage a continuing awareness of environmental conditions, and to promote a better understanding of the importance of environmental protection. To accomplish its objectives, the society combines academic instruction with speakers, projects, excursions, and camping trips. Members cooperate with the President's Council on Environmental Quality.

### CURIA HONORIS

One of the most coveted honors a law student may seek is membership in *Curia Honoris*, an honorary society composed of Cumberland graduates who, while students, combined academic excellence with service to the Law School.

The Constitution of the society sets forth the following requirements for membership:

- (1) Graduating within the upper 10% of one's graduating class.
- (2) A cumulative grade point average of 2.00 (B) or above.
- (3) Significant contribution to the Law School through participation in extra-curricular affairs.

New members of the society are inducted during Law Day ceremonies each year.

### THE ASSOCIATION OF TRIAL LAWYERS OF AMERICA CUMBERLAND CHAPTER

The student chapter of the ATLA at Cumberland was one of the first student chapters to be established in the nation. Its main purpose is to provide for the students a comprehensive program which covers all areas of trial techniques related to the trial of a lawsuit. The chapter has monthly mini-seminars with nationally prominent trial attorneys speaking on different areas of litigation. Also, each year two practicing attorneys demonstrate a full mock trial with explanatory comments.

The student chapter is aligned with both the national and state associations so that the students receive all the benefits of those organizations. The chapter also sponsors a day-long seminar during Law Day.

In addition to the solid foundation upon which the chapter is based, extra support is obtained from the Clinical Education program and through the guidance of a faculty advisor who has experience in trial techniques.

## LEGAL FRATERNITIES

### *Delta Theta Phi Law Fraternity*

The Delta Theta Phi Law Fraternity, founded in the year 1800, is one of the three leading professional law fraternities in the world. Its members consider it to be the best legal fraternity, and are intensely and justifiably proud of their fraternal contacts and associations. Its membership numbers close to 60,000 and includes many distinguished men in high places in business, in government, in international affairs, on the Bench and of the Bar. There are 83 student senates and 65 alumni senates in the United States.

The Grafton Green Senate was founded in the 1950's at Cumberland School of Law's former campus in Lebanon, Tennessee. The Senate is named after Tennessee's most famous Supreme Court justice. The Senate is involved in all activities of Cumberland; the Student Bar Association, Law Review and many others. For its outstanding work in these and many related areas of law work, the National Fraternity designated Grafton Green Senate the Most Outstanding Chapter in the Nation in 1973.

### *Phi Alpha Delta*

The first chapter of Phi Alpha Delta was founded in 1902 in Chicago. Since then, Phi Alpha Delta has grown to become the world's largest legal fraternity with approximately 137 active chapters at law schools all over the globe.

The purpose of Phi Alpha Delta is to form a strong bond uniting students and teachers of the law with members of the Bench and Bar in a fraternal fellowship designed to advance ideals of liberty and equal justice under the law. The fraternity also seeks to inspire the virtues of compassion and courage, to foster integrity as professional competence, to promote the welfare of its members and to encourage their moral, intellectual, and cultural advancement so that each member may enjoy a life-time of honorable professional and public service.

In keeping with Phi Alpha Delta's tradition of excellence, in 1969 the Cordell Hull Chapter of Phi Alpha Delta of Cumberland was selected as the Number 1 chapter in the United States. More recently the Cordell Hull Chapter was selected as the *Most Outstanding Chapter* in District XIII.

### *Phi Delta Phi*

Memory Leake Robinson Inn of Phi Delta Phi Legal Fraternity was established at Cumberland Law School in 1965. Since its inception, Phi Delta Phi has experienced continued growth until now it is the largest legal fraternity on the Cumberland campus.

Phi Delta Phi was established in 1869 at the University of Michigan in order to promote a higher standard of scholarship, professional ethics, and culture among the law schools and in the profession at large. It was the first professional fraternity of any kind. Robinson Inn has strived to maintain this noble tradition by accepting into membership only those students who strive to maintain this high level of identification with excellence set out by the founders. At the culmination of each academic year, Robinson Inn confers upon those individuals who have best exemplified these high standards two awards for excellence: these are the best Senior Law Student and the Graduate of the Year.

Social and athletic activities have not been ignored however. Phi Delta Phi also strives to bring men and women together in relationships of lifelong friendship which equal or exceed that which was established in the undergraduate social fraternity.

### *Law Wives*

The Law Wives Club is a vital, energetic social and service organization, composed of wives of the faculty and students of the school of law. The purpose of the club is to promote friendship among its members and to serve the school and community by working closely with the Student Bar Association. With the organization of various interest groups, the club attempts to provide a relaxed atmosphere of congeniality for its members during their years at Cumberland School of Law.

### *Christian Legal Society*

The Christian Legal Society is composed of law students, law faculty and practicing attorneys. While this organization was founded for Christian fellowship among those in the legal field, its primary goal is to study the effect that one's Christian beliefs should have upon his practice of law. The Society regularly sponsors speeches and seminars by eminent Christian judges and practitioners.

### *Florida Student Bar Section*

The Justice Glenn Terrell Chapter of The Florida Bar—Law Student Section was established at Cumberland in 1974 to provide students who are planning to practice law in Florida a means of communication and information among themselves. Named for Justice Glenn Terrell, a Cumberland alumnus and member of the Florida Supreme Court for 41 years, the chapter is the only such organization outside the state recognized by the Board of Governors of the Florida Bar. Projects have included a real

property workshop, a book fund for the purchase of Florida materials for the library, and the creation of the Justice Glenn Terrell Scholarship. The Section also seeks to keep its members advised of procedures for registering with the Florida Board of Bar Examiners as well as current developments in Florida law.

### *North Carolina Law Student Section*

The North Carolina Law Student Section was organized at Cumberland in 1976 as a means of fellowship among students and their families with ties to North Carolina. Membership is open to those who are from North Carolina, those who attended college there, or any others who desire to practice in North Carolina.

Among the goals of the Section are increased liaison with alumni in North Carolina, recruiting of additional North Carolinians to attend Cumberland, and communication with the North Carolina State Bar Association.

The Section has planned projects including an orientation program for entering students from North Carolina, a newsletter to alumni and friends, scholarships and books for the Law Library, and speakers during the year, particularly during Law Day.

### *Virginia Law Student Section*

The Old Dominion Society is an organization of students from Virginia and others interested in practicing law in the Commonwealth. The purpose of the organization is to bring together these students on a personal and professional basis and to seek ways to assist one another during our law school experience. The close association of Virginia students enhances the development of personal relationships which should prove beneficial in the future upon establishing practice in the Old Dominion. A new arrival on the Cumberland scene, the Old Dominion Society is expanding its activities and plans to continue in the finest traditions of the Commonwealth.



**Between classes in the new student lounge.**

## **Scholarship and Loan Funds**

*Alabama Defense Lawyers Association Scholarship.* An annual Scholarship in the amount of \$1,000.00 is awarded to a third year student, preferably an Alabama resident, who has evidenced an interest and ability in trial and appellate practice. The first student to hold this scholarship was Mr. Alva Caine, who was also Vice President of The Student Division of The American Bar Association.

*Birmingham Bar Association Memorial Fund Scholarship.* An Annual Scholarship of \$500.00 is awarded to a deserving law student, a resident of Jefferson County, Alabama, by the Birmingham Bar Scholarship Committee. Applications should be filed with the Birmingham Bar Association Memorial Fund Scholarship Committee, 900 Jefferson County Courthouse, Birmingham, Alabama 35203.

*The Harwell G. Davis Scholarship Fund.* A substantial scholarship fund has been established in honor of Harwell G. Davis who is Chancellor of Samford University, a member of the Alabama Bar, and a former attorney general of the State of Alabama. Criteria for awarding this scholarship shall include intellectual ability and/or financial need.

*A. G. Gaston Scholarship or Loan Fund.* Substantial scholarship or loan funds are provided by Dr. A. G. Gaston, prominent Birmingham business man, for awards or loans to unusually deserving students.

*H. W. Sevits Memorial Scholarship.* Made available by the donor Mr. Stephen W. Sevits in memory of his lawyer father, Mr. H. W. Sevits.

*General Scholarship Fund.* The Law School has developed a sizeable scholarship fund for law students. The fund is administered by the Dean and the Faculty Scholarship Committee. Factors considered for grants are scholastic record, extra-curricular activities and need. Application for scholarship aid should be made with the Dean of the Law School.

*Thomas Wesley Martin Scholarship.* Annual scholarships are provided for law students by the Martin Foundation in memory of Thomas Wesley Martin, a lawyer and founder of Alabama Power Company.

*Dean's Scholarships.* Several full tuition scholarships are awarded annually to freshmen law students. To qualify an applicant should be a resident of Alabama and have maintained at least a B average undergraduate record. Applicants interested in applying for this scholarship should contact the Dean of the Law School for an interview.

*Alfred F. Ciffo, Sr. Memorial Scholarship.* An annual scholarship in the amount of one hundred dollars to a law student from Florida who has evidenced serious financial need. This award is made available through the loving kindness of his widow, Catherine Ciffo.

*General Scholarship Fund for Non-residents of Alabama.* The Law School being a nationally oriented school, has developed several scholarships for outstanding applicants who are not residents of Alabama. Applicants should apply to the Dean of the Law School.

*Scholarship for Phi Delta Phi Members.* The International Legal fraternity of Phi Delta Phi makes an award of \$100 each fall to the Phi Delta Phi member attaining the highest scholarship average during his first year. Phi Delta Phi also makes loans available to members of this fraternity in the amount of up to \$500 to be paid without interest no later than two years after graduation from law school.

*The Justice Glenn Terrell Loan Fund.* This loan fund was established in 1975 by the Family and friends as a memorial to the late Justice Glenn Terrell, a Cumberland alumnus (1905) who served for 41 years on The Florida Supreme Court. Students registered with the Florida Board of Bar Examiners are eligible to apply for the loans made available by the fund.

*Emond and Vines Trial Advocacy Scholarship.* Emond and Vines, a Birmingham law firm, awards a scholarship annually to a law student in the top 15% of his class who has a desire to be a trial attorney and prepares therefor by specializing in Trial Advocacy courses.

*Warren R. Splitt Memorial Scholarship Fund.* An annual scholarship awarded to a second or third year law student who is a resident of the State of Florida, evidences serious financial need, and has maintained an above average academic record in law school. The fund was established in 1976 by Robert F. Splitt, an alumnus, and his wife in memory of their son.

*DeWitt C. Thompson, Jr. Memorial Loan Fund.* Loan funds provided for students who have exhibited outstanding leadership characteristics evidenced by active participation in extracurricular activities. Criteria for recipients is completion of the first semester of law school with an above average academic record.

## UNIVERSITY FINANCIAL AID

Law students who are interested in applying for scholarships should submit written applications to the Dean of the School of Law. The applications should be submitted by April 1 in order that the Dean and the Scholarship Awards Committee can evaluate them.

Students who are interested in securing a Guaranteed Student Loan should apply directly to the Office of Student Financial Aid, Samford University. Ask specifically for the form needed in order to apply for the Guaranteed Student Loan. A student who has a \$25,000.00 or less adjusted income may apply for a loan of up to \$5,000.00 per year without filing a confidential statement. A student whose adjusted family income is over \$25,000.00 may apply for a guaranteed student loan without receiving the interest subsidy.

Guaranteed student loans are available to students who have been admitted to Samford and who can find a qualified lender who will make the loan. This may be either a bank, credit union, or savings and loan association. The student pays no interest on the loan until 9 months following graduation, and then the rate is a simple 7%.

## AWARDS

*Dean's Certificate of Appreciation.* Each Law Day, the Dean awards a limited number of Certificates of Appreciation to members of the prior year's graduating class. Certificates are awarded to those graduates who, while they were students, made outstanding contributions to the school through leadership in all phases of the school's programs.

*W. D. Rollison Award for Excellence in Wills and Trusts.* Each year two awards are made in an annual writing contest for students at the School of Law. The awards were established in memory of Professor W. D. Rollison, who for many years was a distinguished professor of law at Cumberland. The first place award consists of a certificate of recognition suitable for framing and \$150 in cash. The second place award consists of a certificate of recognition suitable for framing and \$100 in cash. The awards are made at Law Day each year.

*American Jurisprudence Award.* The joint publishers of *American Jurisprudence*, Bancroft-Whitney Company, San Francisco, California, and The Lawyers Co-operative Publishing Company, Rochester, New York, award a specially bound title of *American Jurisprudence* to the student making the highest grade in each of a number of courses covered by titles of *American Jurisprudence*.

*Little, Brown & Company Award.* Little, Brown & Company, Boston, Massachusetts, awards a copy of *An Estate Planner's Handbook* each year

to the student making the highest combined average grade in the courses on Trusts and Wills and Administration of Estates.

*The Nathan Burkan Memorial Competition.* The American Society of Composers, Authors and Publishers, in memory of Nathan Burkan, makes an annual award in invited schools to the senior student who prepares the best paper on the subject of Copyright Law. The winning paper within the law school is awarded \$250 by the Society and there is a second place award of \$100. The national winner receives a first-place award in the sum of \$1,000.

*The Bobbs-Merrill Company, Inc., Award.* An award of Volume One of the *Tennessee Code Annotated*, containing the Federal and State of Tennessee constitutions, annotations and Court Rules, is awarded annually to the senior student with the highest three-year average who intends to practice in Tennessee. This award is made by the Bobbs-Merrill Company, Inc., Indianapolis, Indiana, publishers of the official Tennessee Code.

*W. H. Anderson Company Award.* The W. H. Anderson Company, Cincinnati, Ohio, annually awards a copy of Stearn's *Law of Suretyship*, revised by James L. Elder, to the student receiving the highest grade in the course of Suretyship.

*American Law Book Company Awards.* The American Law Book Company, St. Paul, Minnesota, annually awards volumes for achievement in certain designated Courses.

*Foundation Press, Inc., Award.* The Foundation Press, Inc., Brooklyn, New York, awards a copy of Lattin on *Corporations* to the student receiving the highest grade in the course on Federal Procedure.

*Prentice Hall Federal Tax Guide Award.* Prentice Hall, Englewood Cliffs, New Jersey, annually awards a Federal Tax Guide to the senior student in each section of the senior class who has the highest grade in the course on Taxation.

*The United States LAW WEEK Award.* The Bureau of National Affairs, Inc., gives a one-year subscription to LAW WEEK magazine to the senior student having the highest scholastic average.

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The Law School reserves the right to modify the requirements for admission and graduation, to change the arrangement or content of courses, to change the casebooks used, to alter any regulation affecting the student body, and to dismiss or drop from the School any student at any time, if it is deemed in the best interest of the School or the student to do so.



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## Law School Calendar 1978-1979

### SUMMER SESSION, 1978

*June 5 - August 2 (inclusive)*

- June 5 — Registration
- June 6 — Classes begin
- July 25 — Last day of classes
- July 28-August 2 — Final Examinations
- August 19 — Summer Graduation Exercises

### School Year 1978-1979

### FALL SEMESTER, 1978

*August 28 - December 15 (inclusive)*

- August 28 — Entering Law Student Orientation
- August 29 — Registration
- August 30 — Classes begin
- November 23-24 — Thanksgiving Holidays
- December 1 — Last day of classes
- December 7-15 — Final Examinations

### SPRING SEMESTER, 1979

*January 15 - May 18 (inclusive)*

- January 15 — Registration
- January 16 — Classes begin
- April 7-15 — Spring Recess
- April 20-21 — Law Day
- May 2 — Last day of classes
- May 10-18 — Final Examinations
- May 27 — Commencement

### SUMMER SESSION, 1979

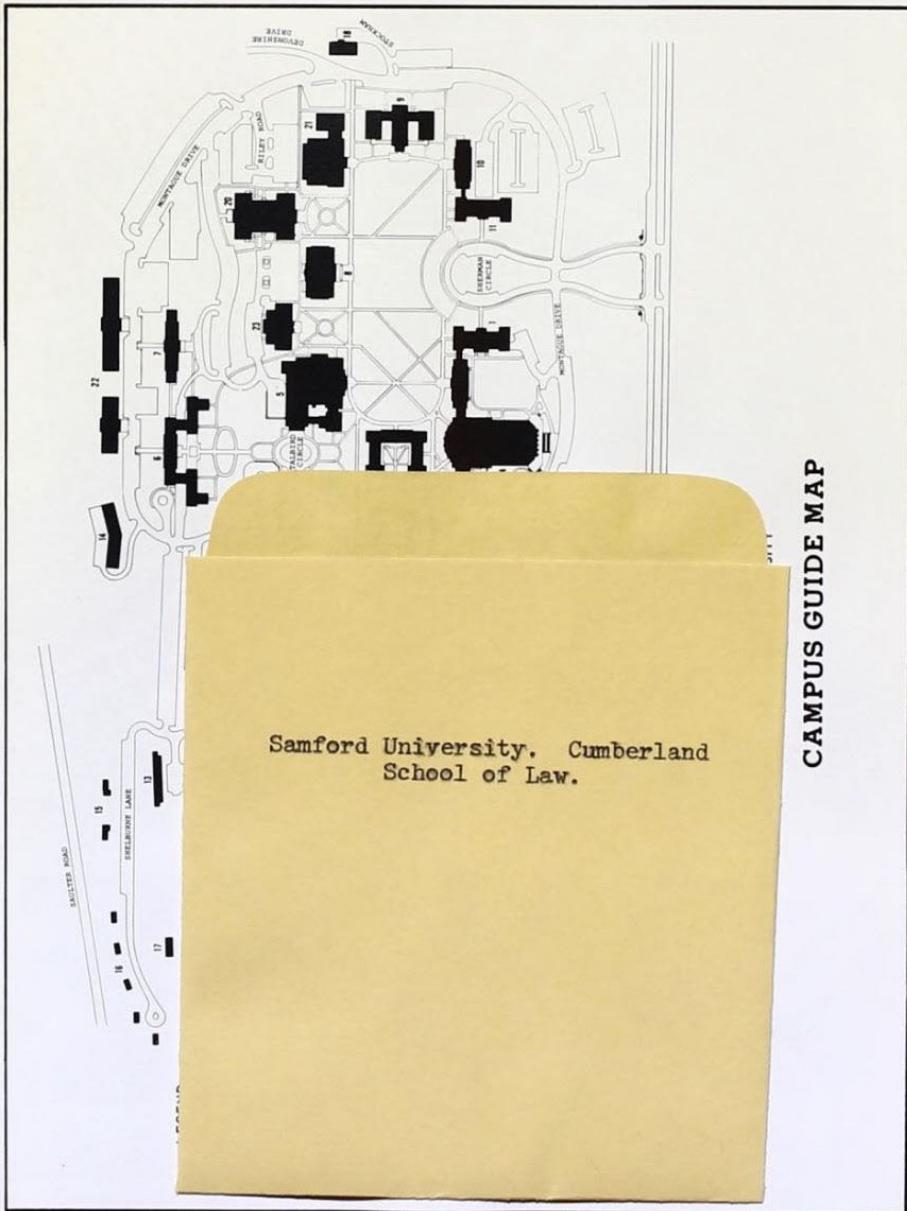
*June 4 - August 1 (inclusive)*

- June 4 — Registration
- June 5 — Classes begin
- July 24 — Last day of classes
- July 26-August 1 — Final Examinations
- August 18 — Summer Graduation Exercises



President Jimmy Carter talks with Dean Corley and students prior to Law School Convocation address.

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